



South Coast Air Quality Management District

Engineering & Compliance

*Policies &
Procedures*

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

MEMORANDUM

DATE: July 11, 1983
TO: Permit Processing Personnel
FROM: Sanford M. Weiss, Director of Engineering /s/ SMW
SUBJECT: EIR Process

I am sure that you know that the District is obliged to consider Environmental Impact Reports (EIR) as part of its permit processing activities. It is clear that before permits to construct can be issued for significant projects, the District engineers must have considered the EIR and indeed **a permit to construct cannot be issued until the EIR, if required, has been approved by the Lead Agency.** The Lead Agency is usually the city or county where the permit units are located. The purpose of this memo is to give you guidance and Division policy with respect to that EIR process in the context of your permit activities.

The following outlines the EIR considerations with respect to permit processing of significant projects:

1. A significant project is defined as either:
 - a. a project subject to the full Regulation XIII process or exempt under Rule 1304; or
 - b. a project with emissions greater than the emission thresholds of Rule 1303 before offsets; or
 - c. a project for which an EIR or negative declaration is being prepared by some other agency, even if the project would not come under (a) or (b) above.

A significant project does not include alterations to existing permit units, unless (c) applies.

2. A permit to construct cannot be issued unless air quality mitigation measures in an EIR, and within District authority to implement, have been considered by the District. That means that such mitigations must either be incorporated into the P/C or discussed in the evaluation and not incorporated for technical reasons.

3. A permit to construct cannot be issued without either a final negative declaration or an approved final EIR for those projects defined as significant.
4. If either of the documents are not available with the application, the applicant must be contacted. If the applicant states that a negative declaration has been approved, the engineer need only record that information in a file memo. For those significant projects not covered by a negative declaration, the applicant should be informed that a final EIR is necessary and that the District cannot issue a P/C until the engineer has reviewed the final EIR. Draft EIR's should be obtained where available. Notify Brian Farris, Planning-Division, ext. 6418, of any projects requiring an EIR as a significant project.
5. For significant projects where a local agency does not require an EIR, the District may need to prepare an EIR before a P/C can be issued. Contact Farris for advice on this situation.
6. These procedures apply to Class I or Class III significant project applications.

SMW:dah

THIS MEMO NO LONGER APPLIES